



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

February 13, 2013

BRENT ANDERSON, TREASURER  
MASSACHUSETTS REPUBLICAN PARTY  
85 MERRIMAC ST., SUITE 400  
BOSTON, MA 02114

**Response Due Date**  
**03/20/2013**

IDENTIFICATION NUMBER: C00042622

REFERENCE: AMENDED 12 DAY PRE-GENERAL REPORT (10/01/2012 -  
10/17/2012), RECEIVED 12/19/2012

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The attached employer and occupation entries appear on your report and are not considered acceptable.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

MASSACHUSETTS REPUBLICAN PARTY

Page 2 of 4

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution,
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

**2.** Schedule B supporting Line 21(b) of your report discloses reimbursements to individuals for expenses other than travel and subsistence. Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in excess of \$200 in a calendar year, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information or provide clarifying information if memo items are not required. (11 CFR §§ 104.3(b)(3)(i) and 104.9, and Advisory Opinions 1992-1 and 1996-20)

**3.** Schedule B of your report discloses reimbursements to staff for apparent travel and subsistence advances in which the total amount reimbursed exceeds \$500. When the reimbursement amount to staff for travel and subsistence advances exceeds \$500, the payments by staff to any one vendor that make up the reimbursement may have to be itemized. For example, if the related payments to any one vendor aggregate in excess of \$200 for the calendar year, the staff advance payment to the vendor must also be itemized in a memo entry

## MASSACHUSETTS REPUBLICAN PARTY

Page 3 of 4

for that reimbursement. Each memo entry must include the complete name and address of the original vendor, as well as the date, amount and detailed purpose of the advance. If itemization is not necessary for a particular reimbursement to staff in excess of \$500, you must indicate so in an amendment to this report. Please amend your report to include the missing or clarifying information. See Advisory Opinion 1996-20 for additional clarification. (11 CFR § 104.9)

**4.** Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B supporting Line 21(b) of your report to clarify the following description(s): "IN-KIND: TRAVEL/MEETING EXPENSE," "IN-KIND: MEETING EXPENSE," "IN-KIND: MEETING EXPENSE/OFFICE SUPPLIES," "IN-KIND: TRAVEL/EQUIPMENT," "EQUIPMENT RENTAL," and "CAMPAIGN PROMOTIONAL ITEMS." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(3)(i).

Additional clarification regarding inadequate purposes of disbursement published in the Federal Register can be found at [http://www.fec.gov/law/policy/purposeofdisbursement/inadequate\\_purpose\\_list\\_3507.pdf](http://www.fec.gov/law/policy/purposeofdisbursement/inadequate_purpose_list_3507.pdf).

**5.** Schedule B supporting Line 30(b) of your report discloses a payment(s) for "TELEMARKETING & DATA MANAGEMENT SERVICES" and "DIRECT MAIL PRINTING & POSTAGE" which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, please be advised that public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

MASSACHUSETTS REPUBLICAN PARTY

Page 4 of 4

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1173.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley Carter". The signature is fluid and cursive, with the first name "Ashley" being more prominent than the last name "Carter".

Ashley Carter  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Inadequate Employer/Occupation Entries  
Massachusetts Republican Party (C00042622)**

Employer	Occupation
INFORMATION REQUESTED PER BEST EFFORTS	INFORMATION REQUESTED PER BEST EFFORTS
SELF EMPLOYED	SCR ASSOCIATES
PTC	SALES MANAGER
MANAGEMENT	SELF
SELF-EMPLOYED	DEVELOPER/CONTRACTOR
BUSINESS OWNER	BUSINESS OWNER
SELF-EMPLOYED	BUSINESS OWNER
BEST EFFORT SENT	BEST EFFORT SENT
L.D.F. FOODS	INFORMATION REQUESTED PER BEST EFFORTS
SELF-EMPLOYED	RESTAURANT OWNER
SELF-EMPLOYED	SALES
SELF-EMPLOYED	C.E.O.
SELF-EMPLOYED	BUSINESS
SELF-EMPLOYED	PARTNER
U.F.C.	EXECUTIVE
FISHER BARTON INC.	MFG.
WILLNER REALTY & DEVELOPMENT	SELF-EMPLOYED
SELF-EMPLOYED	PRECIOUS METALS
INFORMATION REQUESTED PER BEST EFFORTS	CEO
SELF-EMPLOYED	INFORMATION REQUESTED PER BEST EFFORTS
INFORMATION REQUESTED PER BEST EFFORTS	COMMUNITY ACTIVIST